

Forms Available at:

- ♦ Public Accommodation Plan Review form (DPHHS): <http://www.lakemt.gov/environmental/pdf/forms/Public%20Acc%20Plan%20Review.pdf>
- ♦ Alteration with No New Components Permit Applications is available at LCEH or at: <http://www.lakemt.gov/environmental/pdf/wastewater/2016%20wwts%20Application.pdf>
- ♦ Zoning Conformance Permit Applications is available at LCPD or at: <http://www.lakemt.gov/planning/pdf/Zoning%20Conformance%20Permit%20Application%20with%20Checklist%20cover.%209-4-2013.pdf>
- ♦ Building Permit application form (BCB): <http://bsd.dli.mt.gov/Portals/53/Documents/Building-Codes-Permits/dli-bsd-bc002.pdf?ver=2014-12-09-110023-970>
- ♦ Department of Revenue Lodging Facilities form: <http://app.mt.gov/myrevenue/Endpoint/Form/280>

Additional Laws:

- ♦ Public Accommodation ARM: <http://dphhs.mt.gov/Portals/85/publichealth/documents/FCS/PAWEBRULE.pdf>
- ♦ Building Permit ARM: <http://www.mtrules.org/gateway/RuleNo.asp?RN=24%2E301%2E146>
- ♦ Lodging Facility Tax: <http://www.mtrules.org/gateway/Subchapterhome.asp?scn=42%2E14.1>
- ♦ Lodging Facility Use Tax MCA: <http://www.mtrules.org/gateway/Subchapterhome.asp?scn=42%2E14.1>
- ♦ **Guidance Document:**
- ♦ CIRCULAR FCS 1-2012: <http://dphhs.mt.gov/Portals/85/publichealth/documents/FCS/CircularFcs12012.pdf>

Links:

- ♦ Building Codes Bureau (BCB) Fees: <http://www.mtrules.org/gateway/ruleno.asp?RN=24.301.138>
- ♦ Department of Revenue (DOR): <http://revenue.mt.gov/>

Other FAQ's:

Is my Vacation Rental even allowed?

It is highly recommended to check with the LCPD to determine if Vacation Rentals are even allowed under the current Zoning & Density regulations. Some districts within the County do not allow Vacation Rentals.

Are yearly inspections required for Vacation Rentals in Lake County?

No, however an inspection by LCEH is required prior to opening all Vacation Rentals.

A Vacation Rental may be required to undergo an additional inspection if a complaint is filed with LCEH.

What is A Public Accommodation License?

Acquiring a MT Public Accommodation license requires the assistance of LCEH. Once your Vacation Rental has been approved by the County & State, your Vacation Rental is issued a MT Public Accommodation License to operate.

Who do I contact to re-license my Vacation Rental?

Montana DPHHS will send out a renewal notification by mail a few months prior the end of the calendar year. Currently, the renewal fee for your Public Accommodation license is \$ 40 each year.

Who do I contact concerning complaints?

Access/Noise/Nuisance: Lake County Sheriff
Department at **406-883-7301**

Garbage: LCEH at **406-883-7236**

Lake County Environmental Health Department

106 4th Ave East
Polson Mt 59860
Phone: 406-883-7236
Fax: 406-883-7205
E-mail: envhealth@lakemt.gov

Brief Overview for Vacation Rentals in Lake County Montana

*Revised with information concerning
the Building Codes Bureau*

May 2018



Lake County

106 Fourth Avenue East, Polson MT 59860

May 2018

**Vacation Rentals can be defined as:
Tourist Homes, Lodging Facilities,
Roominghouses, or Hotel/Motels**

Who is involved with Vacation Rentals in Lake County?

- * The Lake County Environmental Health Department (LCEH)
- * The Lake County Planning Department (LCPD)
- * The Department of Public Health and Human Services (DPHHS)
- * The Department of Labor & Industry Building Codes Bureau (BCB)
- * The Department of Revenue (DOR)

State Laws and Regulations Cited: MONTANA CODE ANNOTATED (MCA)

MCA 50-51-102 - General Provisions Definitions

MCA 50-51-103(1) & (2) - Governing Operation

MCA 15-65-101(4(a)) - Lodging Definition

MCA 15-65-101 - Lodging Facility Use Tax

MCA 15-68-101 - Lodging Facility Sales Tax

ADMINISTRATIVE RULES OF MONTANA (ARM)

ARM 37.111.101-135 - Public Accommodation

ARM 42-14-106 - Registration & Permit

ARM 24.301.101-190 - Building Codes

GUIDANCE DOCUMENT

CIRCULAR FCS 1-2012 - MT Water Supply Standards

***If you operate a Vacation Rental in
Lake County, you are required to
have it properly licensed!***

GENERAL SEQUENCE OF EVENTS FOR LICENSURE:

1. **Acquire & Complete a Public Sleeping Accommodation Plan Review Application**
 - LCEH will Review Application
 - LCPD will Review for compliance with Zoning
 - * Compliance must be demonstrated prior to licensing
2. **Review of Wastewater Treatment System (WWTS) by LCEH**
 - 1) **Obtain an Alteration w/ No New Components Permit with LCEH**
 - * Determine allowable number of bedrooms according to size of the WWTS
3. **Review of Water Supply System by LCEH**
 - Public water supply system—Pre-approved source
 - Private water supply system—**Requires a SOURCE WATER ASSESSMENT** (as per *CIRCULAR FCS 1-2012*) including lab analysis of water samples for bacteria coliform and total nitrate
4. **Register with the Department of Revenue**
 - 1) Contact the Department of Revenue
 - 2) **Obtain a seller's permit through DOR**
5. **Acquire a Public Accommodation State License**
 - 1) Set up Pre-Opening inspection
 - 2) **Obtain a Public Accommodation License with LCEH & DPHHS**

REVISION: ONLY for new construction or remodels is a Building Permit required from the Building Code Bureau

- 1) Contact State Building Inspector Rob Morris
 - * Type: "Change of Use" or "New" if applicable
- 2) **Obtain a Building Permit License with BCB**

What to Expect:

- Additional Information if not sufficient in Plan Review Application
 - * May be contacted by LCPD with Zoning/Density questions
- Building Inspection by State Inspector (BCB)
 - * Can acquire Building Permit/Plan Review Application at time of BCB Inspection
- Contact the Department of Revenue (DOR) to register your Vacation Rental. All applications will be submitted to the DOR by LCEH when issuing a Public Accommodation license.
- Pre-Opening Inspection with Plan Review application (LCEH)
 - * Source Water Assessment will be conducted at the time of Inspection

Additional Important Criteria to check on:

- ***Lake County Planning Department for additional requirements***
- ***Local Covenants***

Who to Contact?

- ♦ Lake County Environmental Health Department (LCEH) at: **406-883-7236**
- ♦ Lake County Planning Department (LCPD) at: **406-883-7235**
- ♦ Building Codes Bureau (BCB) Inspector Rob Morris: **406-202-1324**
- ♦ Montana Department of Revenue (DOR) at: **406-444-6900**
- ♦ Montana DPHHS FCSS Section: **406-444-2837**

Typical fees at a glance

Public Sleeping Accommodation Plan Review Application:	\$ 150	*
Alteration with No New Components Permit:	\$ 100	*
Building Permit/Plan Review Application:	\$ Varies	*
Public Accommodation License:	\$40 (annually)	
* One-time fee		